Patients' Rights Committee Meeting Notes

Quarterly Meeting – January 18, 2023 10:30am – 12:30pm

Committee Members Present:

Daphne Shaw (chairperson)
Walter Shwe
Richard Krzyzanowski

Mike Phillips (chair-elect) Susan Wilson Catherine Moore

Council Staff Present:

Justin Boese

Welcome & Introductions

Daphne Shaw welcomed all Patients' Rights Committee (PRC) members and guests. Committee members, staff, and guests introduced themselves. A quorum was reached.

Discussion with CBHPC Chairperson and Executive Officer

The committee members had a discussion with the Planning Council's new officer team, consisting of Jenny Bayardo (Executive Officer), Deborah Starkey (Chairperson), and Tony Vartan (Chair-Elect). The discussion centered on the follow three questions:

- 1. How does the committee align with the Vision and Mission of the Council?
- 2. How does this committee align with the Council's mandates in Welfare and Institutions Code?
- 3. What does the committee hope to accomplish in the coming year?

Committee member responses focused on the state purpose and goals of the PRC, including to monitor, review, evaluate, and recommend improvements in the protection and upholding of patients' rights to receive effective, timely, and humane treatment in a public mental health system in California. The PRC firmly believes that each patient should be afforded the opportunity to receive quality mental health care or the option to decline care if appropriate. Furthermore, the PRC is the only CBHPC committee to be specifically required in state law, as stated in WIC section 5514. The goals of the committee in the coming year include the completion and distribution of a new report on statewide patients' rights advocacy issues and recommendations, and to work on addressing the need for a formal and adequate patients' rights advocate staffing ratio for California counties.

Review of the October 2022 Meeting Minutes

The committee reviewed the October 2022 Meeting Minutes. No edits to the minutes were requested.

Updated PRA White Paper

Justin Boese presented an updated draft report on patients' rights advocacy, written as a follow-up to the 2017 white paper published by the PRC. The updated report provides an overview of the work the committee has done from 2017 to the present, including the survey reports from 2020 and 2021, the two bills that the committee co-sponsored and helped pass, and new issues that have emerged in recent years. The report will also include updated recommendations for improving the patients' rights system, to be developed by the committee members.

PRC members discussed the report and provided feedback on the draft, including topics they believe should be included in either the overview or recommendations. Suggestions were made to include more information on patients' rights advocacy in county jails, as well as recommendations regarding civilian oversight of county sheriffs as instituted in AB 1185 (2021).

California Office of Patients' Rights (COPR) Updates

Daniel Wagoner from the California Office of Patients' Rights (COPR) provided an update on his work supporting county mental health patients' rights advocates (PRAs). The committee had requested copies of the COPR semi-annual reports detailing patients' rights activities and issues in state hospitals, which Daniel was unfortunately unable to acquire in time for the meeting. Daniel hopes to have that information for the committee in time for the April meeting.

Activities that Daniel provided updates on included:

- Providing substantial technical assistance to county PRAs on the impact of new legislation and changes in law on patients' rights issues.
- Planning for the annual COPR patients' rights advocacy training conference (PRAT) in late April 2023.
- COPR aims to resume in-person program reviews of county PRA programs in the near future, which were previously on hold due to COVID-19.

Legislative Advocacy / LAO Report Discussion

The committee members had a discussion about the possibility of advocating for a Legislative Analyst's Office (LAO) report on patients' rights staffing and the need for an updated and enforceable PRA staffing ratio requirement. Such report could be requested by a California legislator, and would help support future legislative advocacy for this issue. The committee members briefly discussed which legislators they might be able to reach out to regarding this topic, and when the best time to do so might be. It was suggested to focus on legislators who opposed the recent CARE Act legislation.

Planning for Future Meetings

Daphne Shaw led the committee in discussing plans for the future, including the upcoming meeting in April 2023. Topics of interest listed by committee members included:

- An update on PRA training forms received from COPR
- Finalizing the new PRC report on patients' rights advocacy issues and recommendations
- An update on the implementation of the CARE Act and its impact on patients' rights
- A review of COPR semi-annual reports, to be provided by Daniel Wagoner

The meeting adjourned at 12:30 pm.